

**TOWN OF DAVIE
REGULAR MEETING
FEBRUARY 16, 2005**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:36 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Truex, Vice-Mayor Paul and Councilmembers Hubert, Crowley and Starkey. Also present were Interim Town Administrator Kovanes, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

3. PRESENTATIONS

3.1. Faisal Mithavayani

Mayor Truex commended seven-year-old resident, Faisal Mithavayani, who sold his holiday gifts and donated the funds to the Red Cross to assist with relief efforts for victims of the 2004 Asian Tsunami. Mayor Truex presented a Certificate of Recognition to Faisal Mithavayani for his thoughtfulness and community spirit.

3.2. Third Quarter Employee Recognition Awards (2004)

Maureen Sealy, Human Resources Analyst and chairperson for the Employee Recognition Committee, presented employees with the Town's Third Quarter Employee Recognition Awards for 2004. Recipients included Fire Inspector Robert Taylor, and Information Systems Specialist Gail McGowan. Ms. Sealy thanked Pizza Loft for its continued provision of certificates for the Employee Recognition Program.

3.3. SunTrust Check Presentation

Budget and Finance Director Bill Underwood advised of a benefit received by the Town from SunTrust. Procurement Manager Herb Hyman introduced representatives from Sun Trust Bank, who presented the Council with a rebate check for \$14,000, from its credit card profit sharing program with the Town.

4.5 Vice-Mayor Paul made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Truex read the proclamation declaring February 16, 2005 as South Plantation High Students Take on Paralysis Club Day. A student from the STOP Club explained the history and function of the group and thanked the Town for its recognition.

3.4. Community Rating System - Frank Koutnik, Deputy State Coordinating Officer, Department of Community Affairs

Charles McCool, representing the Florida Department of Community Affairs, commended the Town on the steps it had taken with regard to flood insurance. He explained the Community Rating System and advised that the Town had reduced its rating from ten to eight. He stated that the Town was saving over \$139,000 yearly with the reduced rating and he presented a plaque from FEMA recognizing the Town.

Councilmember Starkey thanked the Public Works Department and the Town's administrative staff for their role in this achievement.

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3.5. Dog Park

Parks and Recreation Director Dennis Andresky, showed a video which displayed several park sites suggested as possible locations for a dog park in Davie.

Mr. Andresky displayed an area at the Silver Lakes Park proposed for a dog park. Mayor Truex asked what the overall area of Silver Lakes Park was. Mr. Andresky advised it was 37 acres. Councilmember Crowley observed that there were no large open areas, but rather a lot of water bodies at Silver Lakes.

Mr. Andresky displayed an area at Lange Park proposed for a dog park. Mayor Truex asked about the total area of Lange Park. Mr. Andresky advised it was 4.5 acres.

Mr. Andresky displayed an area at Robbins Lodge proposed for a dog park and advised that the Open Space Advisory Committee had requested that consideration be given to Robbins Lodge. He stated that there was existing parking and facilities at Robbins Lodge. Vice-Mayor Paul pointed out that the area suggested was next to a cattle area and heavily trafficked with horses. Mr. Andresky advised that the Parks and Recreation Department was not in favor of considering Robbins Lodge.

Mr. Andresky displayed a site on Flamingo Road and 14th Street where two acres were proposed for a dog park. Councilmember Starkey asked about the scenic corridor setback. Mayor Truex pointed out that this area was very busy on weekends.

Mayor Truex asked why other parks were not included in the presentation. Mr. Andresky advised that usage needs, location and cost were the factors that the Parks and Recreation Advisory Board used to come up with the suggested sites displayed. He explained that this eliminated larger parcels in the Town.

Karen Stenzel-Nowicki, 5480 SW 55 Avenue, explained that Silver Lakes Park was leased by the Town from the Florida Department of Transportation and that existing restrictions related to the lease would preclude the Town from placing a dog park on that site. She spoke of bad road conditions and heavy traffic on SW 58 Avenue, which would be the access road to Silver Lakes Park. Ms. Stenzel-Nowicki spoke of possible dog waste cleanup problems. She recommended that Council and residents consider using the proposed Markham Park dog park or forming dog clubs or programs in their respective neighborhoods. Ms. Stenzel-Nowicki also wanted the Council to factor in the Town's liability risk.

Public Works/Capital Projects Director Bernard felt the Flamingo Road and 14th Street site was a good site. Mayor Truex felt that of the parks illustrated, Robbins Lodge had the most usage area, if it could be made compatible with the equestrian usage. Councilmember Starkey spoke of restrictions on the Robbins Lodge site and felt these needed to be explored. She also wanted the Flamingo Road scenic corridor requirement to be addressed. Councilmember Starkey spoke of the proposed bond issue for open space where a future dog park site could be considered and geared specifically to accommodate its traffic needs.

Councilmember Hubert requested adding this discussion to the upcoming parks and recreation workshop meeting. She spoke in favor of the Robbins Lodge site, which she felt had more than enough acreage to share. Councilmember Hubert was not in favor of buying more land for a dog park.

Vice-Mayor Paul agreed with Councilmember Starkey's suggestion to consider using the proposed bond issue to address this. She felt that establishing an active dog park would not be compatible with the establishment and definition of Robbins Lodge as a passive park. Councilmember Starkey wanted further research done on the parks suggested, and did not think a dog park was in line with this usage.

Councilmember Crowley advised that he had visited two dog park sites and observed that they generated a lot of traffic which had to be considered.

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Mayor Truex agreed with Councilmember Hubert's suggestion to add this item to the upcoming workshop. Councilmember Starkey was not in favor of adding this item to the workshop as she felt it would take excessive time based on the public input expected. Council decided to schedule another workshop on this issue within 30 days.

3.6. Slot Machine Referendum - Mayor Truex

Robin Rorapaugh, representing Remember the Lottery, felt the March election was being presented to voters too quickly with regard to this type of gambling. She pointed out that enough information had not yet been presented to voters on how the funds from slots would be applied directly to Florida schools. Ms. Rorapaugh advised that only one penny of every lottery dollar was actually sent back to Broward County schools. She pointed out that lottery money could be applied very broadly within education but was advertised as if it came directly back into this County classrooms.

Councilmember Starkey thanked the speaker for the coalition's efforts. She advised of the Education Sub-Committee meeting held earlier that day, where local government officials had opposed the referendum as written, mainly because specifics were not known about how much money education would actually receive. Councilmember Starkey pointed out that as written, the money could be dispensed throughout the entire State with the legislation deciding how much money this County would receive.

Mayor Truex asked if the Town should take the same position. Councilmember Starkey responded in the affirmative and agreed that the Town should consider placing a resolution against the measure on the next Council agenda.

Vice-Mayor Paul felt that in fairness, the public and the other side should have an opportunity to speak on this issue before the Town considered drafting a resolution in opposition. Councilmember Starkey stated that regardless of individual views on slot machines, the referendum did not offer specifics or assurances on how schools would receive the funding, but left it up to the State legislature to determine distribution. Vice-Mayor Paul felt if this were defeated, it would be a victory for the anti-gambling groups because the referendum could not come back. Ms. Rorapaugh advised that this issue could come back in two years.

Councilmember Starkey made a motion, seconded by Mayor Truex, that the Town oppose the current referendum as written since it did not give enough assurances that the municipalities and schools of Broward County would be funded appropriately. In a voice vote, with Vice-Mayor Paul dissenting, all voted in favor. (Motion carried 4-1)

Susan Winn, 4613 Hancock Road, objected to Council taking a vote on this resolution without listening to the residents.

3.7. 2003 Comprehensive Annual Financial Report

Mr. Underwood spoke on the Comprehensive Annual Financial Report (CAFR) for 2003.

Brent Rodgers, representing Grau and Company, felt the audit went well and thanked the Town's staff for its cooperation. He advised that the Management Discussion and Analysis Report gave a good outline of the Town's status. Mr. Rodgers outlined the Town's Statement of Net Assets, the Statement of Activities and advised of a 10% increase in the Town's net assets. He reviewed the Fund Financial Statements, and the Statement of Revenue Expenditures Balance. He referred Council to page 62 which displayed the General Fund Budget to Actual Comparison.

Mr. Rodgers advised that the Development Services Department ran a deficit of \$359,000; the Police Department ran a deficit of \$3,056,000; and the Fire Department ran a deficit of \$506,000. Mayor Truex asked if these deficits were offset by other items that were budgeted. Mr. Rodgers

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responded in the affirmative and advised that the Development Services Department actually generated more revenues than anticipated. Mayor Truex asked if this was a serious issue. Mr. Rodgers responded in the affirmative.

Mr. Rodgers reviewed other areas of the Report and advised of unrestricted fund balances including \$5.5 million in the vehicle maintenance fund and \$5.8 million in the self-insurance fund. He advised that internal controls over financial reporting were adequate and properly functioning. He referred Council to page 93, Item 03-3, indicating expenditures exceeding the budget.

Councilmember Crowley asked about a comment by Mr. Underwood, who felt the Town should do budget amendments. Mayor Truex felt this was necessary to control departments overspending. Mr. Underwood indicated this might be an issue for 2004, but not for 2005.

Mayor Truex asked if the Town could retroactively address this. Mr. Grau advised that if money was spent that had not been approved, addressing this retroactively would become a legal issue. Mayor Truex asked Council if it would agree to recommend to Mr. Kovanes that these over expenditures not occur again. Councilmember Starkey felt Council's recommendation based on the auditors' input was that budget amendments be done regularly. Vice-Mayor Paul felt that department directors should report periodically, which would illustrate when they were going over budget.

Mr. Kovanes spoke of his efforts to get these issues under control. He advised of expenses incurred due to natural disasters and budget amendments that had been done. Mr. Kovanes stated that he had worked with Mr. Underwood on addressing this. Mr. Underwood advised that the Town had a very long history in exceeding the budget on these areas and he would comply with the law.

Mr. Rodgers spoke of the Accumulation of Net Assets statement and noted that there was no written policy on the use of those funds. Mr. Underwood advised that the Town could bring forth a policy setting the level of comfort it would feel comfortable retaining as unrestricted, unreserved assets.

Vice-Mayor Paul felt a mechanism on policy was needed. She pointed out that the Town's reserve balance would be good for about a month. Mr. Underwood recommended that the amount be closer to three months. Councilmember Starkey spoke of other municipalities that were going bankrupt around hurricane-hit areas because they had not accumulated enough reserves. She was in agreement on setting a policy to better build up the Town's reserves. Mr. Underwood advised that legislation would be brought forth for Council to consider.

Councilmember Crowley asked about the timeframe of the 2004 CAFR. Mr. Underwood advised that it had been started and he hoped to have it completed by June 30, 2005.

Councilmember Crowley thanked Mr. Grau. Mr. Grau thanked Council and staff for their assistance.

3.8. First Quarter Fiscal Analysis (2005)

Mr. Underwood summarized the Town's current fiscal condition outlined in the First Quarter Fiscal Analysis Report (2005). He concentrated on General Fund Figures and advised as follows: 1) the General Fund ran at 76% of the total budget; 2) ad valorem taxes provided 33% of resources for the general fund, which was down 3% from the prior year; 3) almost all categories in the General Fund met expectations; and 4) charges for services were running at 18% instead of the desired 25%. He indicated that the three accounts lagging behind should be caught up by the next quarter. Mr. Underwood advised that of the \$7.7 million hoped for, the Town lost \$840,000. He further advised that court fines and forfeitures were lagging behind based on factors in the court system, which would result in an impact of another \$300,000. Mr. Underwood believed the Town would be \$1.15 million short in revenues for the year. He indicated there was savings in the first quarter and spending of \$16 million in the first quarter with 83% consumed by public safety and general government. Mr. Underwood felt the Town would meet its planned mode of operations for this year.

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Mayor Truex asked if the pension issue were factored into this report. Mr. Underwood replied in the negative but indicated that letters recently received were for the previous year's costs. He advised that the other costs would be addressed in the upcoming audit.

Mr. Kovanes felt the Town was currently on target and agreed with Council's direction on being fiscally sound. He stated that the insurance consultant had some findings that would help the Town. Mr. Underwood advised that the savings from the health insurance would assist with making payments of new contract agreements. He encouraged Council to read the report and contact him with questions.

Mr. Laystrom advised that the applicant wanted to table item 6.5 to work out remaining issues.

Vice-Mayor Paul made a motion, seconded by Councilmember Starkey, to table to the next meeting [March 2, 2005]. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Truex advised that the petitioner for item 6.6 was requesting a tabling to May 4, 2005.

Councilmember Crowley made a motion, seconded by Councilmember Starkey, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Regarding item 6.6, Mayor Truex asked Development Services Director Mark Kutney if the State's settlement with the property owner had any bearing and whether Council could consider this. Mr. Kutney responded in the affirmative. Mayor Truex asked that staff investigate this and as it was public record, he was curious about the stipulations.

In a roll call vote on the tabling of item 6.6, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Mayor Truex clarified that item 6.5 was tabled unanimously by voice vote.

Mayor Truex announced that item 6.7 was withdrawn.

Mayor Truex indicated that item 4.18 needed to be added to the agenda.

Councilmember Hubert made a motion, seconded by Vice-Mayor Paul, to add. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Truex indicated that item 6.8 needed to be added to the agenda.

Councilmember Hubert made a motion, seconded by Vice-Mayor Paul, to add. In a voice vote, all voted in favor. (Motion carried 5-0)

4. APPROVAL OF CONSENT AGENDA

Minutes

- 4.1. January 5, 2005 (Regular Meeting)
- 4.2. January 19, 2005 (Regular Meeting)

Proclamations

- 4.3. National Engineer's Week (February 20-26, 2005)
- 4.4. Colon Cancer Awareness Month (March 2005)
- 4.5. South Plantation High School Students Take on Paralysis Club Day (February 16, 2005)

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Home Occupational Licenses

- 4.6. D and J Sheet Metal, Inc., 8320 SW 55 Court
- 4.7. Fuchsia Property Maintenance Co., 7501 SW 39 Street

Resolutions

- 4.8. **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-47 APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN
IN CASE NO. 04-158 FROM \$56,500.00 TO \$11,444.19; AND PROVIDING AN
EFFECTIVE DATE. (tabled from February 2, 2005)
- 4.9. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE
R-2005-48 BID FOR ROOF REPAIR OF SHELTERS ALONG LINEAR PARK. (Regency Roofing
Companies - \$43,729)
- 4.10. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE
R-2005-49 BID AWARDED BY THE STATE OF FLORIDA CONTRACT #250-000-03-1 TO
DELL COMPUTER CORPORATION FOR LAPTOPS COMPUTERS. (\$105,000)
- 4.11. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA URGING
R-2005-50 MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING
GROWTH MANAGEMENT ISSUES DURING THE 2005 LEGISLATIVE SESSION;
AND PROVIDING FOR AN EFFECTIVE DATE.
- 4.12. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-51 AUTHORIZING THE TOWN TO EXECUTE A MAINTENANCE AGREEMENT
BETWEEN THE TOWN OF DAVIE AND THE STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION FOR A PORTION OF STATE ROAD 84
(MARINA MILE) WITHIN THE TOWN OF DAVIE LIMITS.
- 4.13. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-52 AUTHORIZING THE TOWN TO EXECUTE A MAINTENANCE AGREEMENT
BETWEEN THE TOWN OF DAVIE AND THE MARINA MILE ASSOCIATION FOR
A PORTION OF STATE ROAD 84 (MARINA MILE) WITHIN THE TOWN OF
DAVIE LIMITS
- 4.14. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2005-53 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO A PROFESSIONAL
SERVICES AGREEMENT WITH THE TRUST FOR PUBLIC LAND.

Temporary Use Permit

- 4.15. TU 1-4-05, Shelby & Ira's Tavern, 6484 Stirling Road (grand re-opening event -
February 19, 2005)

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Quasi-Judicial Consent Agenda

- 4.16. SP 7-6-04, Stone Harbor, 3201 West State Road 84 (M-2) (tabled from February 2, 2005) *Site Plan Committee recommended approval based on the planning report and 1) that the applicant brings back an elevation of the southernmost building for staff to review the 55-foot high sections of the façade which faces the south as well as the two sides, that there be some sort of a decorative metal panel in order to break down that facade and which would also go along with the nautical theme set for the building; 2) to provide a color board for the Town Council; 3) on the north side [river side], remove the white trim and paint that wall a lighter blue; and 4) remove the light that is attached to the building and either add a pole to the outside or reduce the light levels or angle the light toward the building and not the river so that the light would be shielded*
- 4.17. SP 8-7-04, Aveda Institute, 4186 South University Drive (B-2) *Site Plan Committee recommended approval based on the planning report and 1) that the graphics which are to be suspended on the front of the building be replaced when they begin to fade; 2) to provide details on the pedestrian bridge that crosses the entry if it is required; and 3) that on the east wall, work with staff on the design of it for another alternative material*

Item to be added

- 4.18. **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE**
R-2005-54 **BIDS FOR SPORTS OFFICIALS.** (South Broward Umpires Assn.. and Adams Top Notch Officials, Inc. - \$68,000/year)

Mayor Truex advised that Mr. Kovanes requested to pull item 4.15 from the Consent Agenda. Councilmember Starkey pulled items 4.11 and 4.14. Councilmember Crowley pulled item 4.17. Councilmember Hubert pulled item 4.9. Mayor Truex pulled items 4.7 and 4.18. Vice-Mayor Paul pulled item 4.2.

Councilmember Starkey made a motion, seconded by Councilmember Crowley, to approve the Consent Agenda minus items 4.2, 4.7, 4.9, 4.11, 4.14, 4.15, 4.17, and 4.18. In a voice vote, all voted in favor. (Motion carried 5-0)

5. DISCUSSION OF CONSENT AGENDA ITEMS

4.2 Vice-Mayor Paul advised that she had amendments to the minutes.

Vice-Mayor Paul made a motion, seconded by Mayor Truex, to table to the next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

4.7 Mayor Truex indicated that he pulled this item by mistake.

Mayor Truex made a motion, seconded by Councilmember Crowley, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.9 Councilmember Hubert asked how nine roofs went bad all at the same time. Mr. Bernard advised that the cedar shake roofs on pavilions were being replaced because they each were in different stages of disrepair and he preferred to repair all as one project. Councilmember Hubert asked if metal roofs could be used so they would not have to be replaced so often. Mr. Bernard pointed out that the roofs were in keeping with the Town's characteristic rural look. Councilmember Hubert voiced her concern about having to do ongoing repairs on these roofs. Mr. Bernard stated that this was the first repair job to be done on the roofs in 18 years.

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Councilmember Starkey agreed with Councilmember Hubert about possibly phasing in tin roofs or roofs made from more solid, weather-resistant materials. Mr. Bernard advised that a roof lasting 15-20 years was the industry standard and pointed out that he would have to test the structure before changing the roofing materials. He advised that this was existing maintenance work and that a new addition would have to be approved by South Florida Water Management. Councilmember Starkey advised that South Florida Water Management had made some changes to linear parks around the County that were in keeping with the Town's design criteria. She wanted the Town to consider looking into a nicer, sturdier model. Vice-Mayor Paul stated that the model the Town had was in keeping with its rustic characteristic. Mayor Truex did not feel it was necessary to tear down and rebuild the pavilions. He did not see anything wrong with a more aesthetically pleasing model but did not feel the repair costs were excessive.

Councilmember Crowley asked how many structures would have roof replacements. Mr. Bernard advised that two structures would have total re-roofing while others along the canal banks would have repairs.

Councilmember Crowley made a motion, seconded by Vice-Mayor Paul, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

4.11 Councilmember Starkey updated Council on the Florida League of Cities' position on statewide reforms for streamlining permitting and growth management processes. She advised that the League's position would not interfere with the Town's home rule.

Mayor Truex referred to Section 1, the first three bullet points, regarding legislative approval of infrastructure, real estate transfer fees and other public service taxes which he was opposed to.

Councilmember Starkey explained that when the State talked about greater flexibility and less oversight on growth management, this was done to allow regional planning councils to be more in tune with particular projects. She stated that the oversight at the State level was to ensure the Town was in compliance with its Code and comprehensive plan. Councilmember Starkey felt it was a benefit to shift these matters to the regional level and felt the League's position was in line with the Town's.

Councilmember Crowley indicated that he was not comfortable moving forward on this item at this point and wanted to review the documentation further. Councilmember Starkey asked that Council review the League's position on its website.

Councilmember Starkey made a motion, seconded by Councilmember Hubert, to approve. In a roll call vote, the vote was as follows: Mayor Truex - no; Vice-Mayor Paul - yes; Councilmember Crowley - no; Councilmember Hubert - yes; Councilmember Starkey - yes. (Motion carried 3-2)

4.14 Councilmember Starkey wanted to see the feasibility study first and a break down of the fees. Mr. Kovanes advised that there were numeric breakdowns in the contract and assured Council that staff would not go forward with the agreement until Council saw the documentation.

Amy Condon, representing the Trust for Public Lands, indicated that the group would not go forward on research if the feasibility study did not support the need.

Councilmember Hubert voiced her opposition to borrowing more money to buy open space. Councilmember Starkey explained that the bond would cover park improvements and would reimburse the Town for monies already laid out for improvements to the Town's trails and parks. She felt it was not good to go forward without such a bond issue, which would be voter approved. Vice-Mayor Paul also pointed out that 5% of the bond could be applied toward administrative purposes, which would bring money back into the Town. Ms. Condon advised that general obligation bonds could be used to offset some administrative expenses. Councilmember Hubert stated she could not see more buying of open space with the Town on a "snug budget" and so many other outstanding concerns that needed to be resolved. She felt the Town was already borrowing from Peter to pay Paul and did not need another bill.

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Vice-Mayor Paul explained that the referendum would allow the Town to preserve open space, which was diminishing. She referred to the Town's mission to "preserve" open space and to the Open Space Advisory Committee's recommendation to link the Town's trails system and to work on the infrastructure within existing parks without using capital funds.

Mayor Truex shared Councilmember Hubert's concerns and advised that the Budget Advisory Committee had unanimously voted against the bond. However, he was in support of the first \$5,000 to be spent in order to learn what the feasibility study would uncover.

Councilmember Hubert stated that her district's residents did not particularly want more open space. Councilmember Starkey pointed out that regarding Sunny Lake, she had spoken with Ms. Monier, who stated that residents in the area were looking forward to upcoming improvements in the park now that the Town had purchased it. Councilmember Hubert stated that residents of areas going from Orange Drive up to I-595 did not want another park.

Vice-Mayor Paul advised that in the Professional Services Agreement, the third "whereas" clause needed to reflect the Open Space Advisory Committee in the terminology for consistency. She also advised that under the Scope of Services, the word "recreation" should be included to make the language consistent.

Mayor Truex asked Mr. Kovanes if there would be break points before this went to a different stage and would need to be approved by Council. Mr. Kovanes assured Council that this issue would come before Council after the feasibility study was done.

Councilmember Hubert asked if all the residents would be questioned. Ms. Condon indicated that a scientific sample would be utilized.

Mr. Kovanes pointed out that the funding source needed to be identified. He recommended identifying a funding source and any contingencies in order to avoid a budget revision. Council agreed.

Vice-Mayor Paul made a motion, seconded by Councilmember Starkey, to approve, subject to Vice-Mayor Paul's changes and Mr. Kovanes' recommendation. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - no; Councilmember Starkey - yes. (Motion carried 4-1)

4.15 Mr. Kutney voiced his concerns regarding the event and distributed copies of a flyer provided to him by the Police Department. He explained that since staff had approved this permit application, new information had come to light that was inconsistent with the applicant's original request. Mr. Kutney spoke of inconsistencies with regard to the event time, entertainment and outdoor sale of alcohol, along with police detail and code enforcement issues that now needed to be addressed.

Councilmember Starkey made a motion to deny and stated that the Council did not have to grant permits for such activities in the Town.

Lisa Floberg, co-owner of Shelby & Ira's Tavern, explained that the establishment usually had local and biker clientele. She advised that she had had no bad experiences with the Biker Outlaws Organization, which had requested to hold its event at the grand opening. Ms. Floberg stated that she was not informed about the need for a license to sell alcoholic beverages outdoors and indicated that she had gone through all the legal avenues required. Mr. Kutney stated that staff had recently informed him that Mr. Abramson, the planner who worked with the applicant on the event, had in fact discussed alcohol and told her of the permit requirement. Mayor Truex asked what type of alcohol would be served. Ms. Floberg advised that only beer would be served outdoors.

Councilmember Hubert was in favor of the event and asked why Davie Junction and Grif's were allowed to have alcohol outdoors at their events while this applicant was being denied. Mr. Kutney felt they might have received approval directly from the State. He felt there was a loss of control for this event and advised that staff had never tried to mislead the applicant at any time as to what was permitted.

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Police Chief John George stated that he was not concerned with the clientele but about the event, which he felt was not represented properly in the approval process. He indicated that there was a short time span before the event, which meant he would have to use voluntary off-duty detail to address any safety issues.

Vice-Mayor Paul asked Ms. Floberg if she would consider holding the event on another date with the proper procedures in place. Ms. Floberg stated that she did not realize the event would be such an issue and had a red flag been raised, she would have planned differently and said no to anything that might be objectionable.

Councilmember Starkey felt that knowing what Council knew now, with the contents of the flyer before them, it had to address the liability and safety issues involved.

Councilmember Hubert suggested rotating attendees in and out of the establishment. Ms. Floberg advised that the bar could hold about 100 people. Mr. Kutney advised that the license allowed for 51-75 seats.

Councilmember Starkey asked about other businesses in the shopping center, which Mr. Kutney provided. Councilmember Starkey asked if the establishment had a history of problems. Chief George spoke of past problem incidents and voiced his concern about fire code issues as well. He felt that overall, there was a public safety risk.

Mayor Truex referred to the map and felt the event was too close to the residential neighborhood. Vice-Mayor Paul asked if additional officers would be needed if the Town denied the permit. Chief George responded in the affirmative.

Vice-Mayor Paul felt that if the event went forward, it would have to be heavily regulated.

Mayor Truex seconded the motion to deny. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - no; Councilmember Starkey - yes. (Motion carried 4-1)

4.17 Mr. Kiar read the rules of evidence and swore in the witnesses. Town Engineer Larry Peters summarized the planning report.

Councilmember Crowley asked if the petitioner had any objections to the Site Plan Committee's recommendations. Robert Lockerbee, representing the petitioner, responded in the negative. Councilmember Crowley stated that he did not see much water retention measures on the site plan and asked Mr. Lockerbee how this would be addressed. Councilmember Crowley pointed out an inconsistency on the plans which showed both lake and dry retention areas. Mr. Lockerbee displayed a site plan diagram illustrating areas at the front of the site for water retention and storage along with proposed landscape using native species.

Councilmember Crowley asked if there was sufficient storage for water. Matthew Segal, the engineer for the project, explained that underground storage methods were being researched in case the lake was not sufficient for water storage.

Councilmember Crowley asked if there were residents adjacent to the property. Mr. Lockerbee responded in the affirmative and advised that the applicant was proposing that a wall be built on the eastern property line. He stated that the Site Plan Committee had suggested that in lieu of a wall, the applicant consider a landscape buffer.

Town Attorney Kiar opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Mayor Truex asked about the wall requirement between the project and the neighborhood to the east, and whether it could be waived. Mr. Kutney advised that the requirement could not be waived. He stated that there was a past provision allowing the materials on the wall to be changed, but that staff had recommended not considering this option any further as it led to problems with residents. Mayor Truex

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asked if someone wanted to propose removing the wall, would they need a variance. Mr. Kutney advised that they would need to go through the Site Plan Committee. Mayor Truex asked whether an additional requirement could be made, stipulating that any adjustment to the wall required Council's approval. Councilmember Crowley felt this should be a requirement all the time.

Councilmember Crowley did not feel the project would be approved by the Central Broward Water Control District. He indicated that he could not support the project at the time because of the variance request. Mr. Lockerbee stated that if required to go through the variance process, the applicant would comply.

Vice-Mayor Paul pointed out that this was an example of the need for a re-write of the Town's Code. She suggested going through the Water District first, then having the item come back before Council. Mr. Lockerbee advised that the final engineering plans would be submitted the following week.

Councilmember Crowley made a motion, seconded by Vice-Mayor Paul, to table to March 16, 2005. In a voice vote, all voted in favor. (Motion carried 5-0)

4.18 Mr. Andresky advised that this item was a bid for sports programs officials.

Mayor Truex made a motion, seconded by Vice-Mayor Paul, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

6. PUBLIC HEARING

Ordinances - First Reading (Second and Final Reading to be held March 2, 2005)

6.1. **VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION PETITION VA 6-1-04, VACATING A PORTION OF RIGHT-OF-WAY FOR SW 78 AVENUE WITHIN SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VA 6-1-04, Young/Lawson, 4900 South University Drive) (tabled from November 17, 2004) *Planning and Zoning Board recommended denial***

Town Clerk Muniz read the ordinance by title.

Mayor Truex advised there would be a public hearing on this item at the March 2, 2005 meeting.

Chris Lawson, the property owner, explained that more land was needed to support his nursery's operations and that his petition was to maintain the area as "green space".

Mayor Truex asked what happened when the applicant went to the Land Trust. Steven Young, the property owner, advised that the restrictions did not fit with their aspirations for the site. Councilmember Crowley requested that a cul-de-sac be constructed.

Vice-Mayor Paul wanted to see the area remain as green space. She voiced her concern that once the land was expanded and its sale value increased, the applicant might then sell the property. She wondered if the Town could include a stipulation that "if the land ever goes beyond being a nursery, it would revert back to the Town." Mr. Lawson stated that such events were uncontrollable and asserted that he was simply trying to keep his business operational. He explained that his business was increasing, and pointed out that he couldn't restrict what his children might do with the property down the road. Vice-Mayor Paul pointed out that the Planning and Zoning Board denied the application. The applicant stated that this was due to a misunderstanding during the application process.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Vice-Mayor Paul asked if the Town would have any need for the area to be vacated. Mr. Kutney responded in the negative, but that FP&L needed a ten-foot easement. Mr. Kutney stated that staff was

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very cautious about giving away any land at the moment but that as of now, it could not identify any current need. Mr. Lawson explained that drainage was not an issue on the site.

Councilmember Crowley was in support of the request if the applicant would consider constructing a cul-de-sac. Mr. Lawson indicated he would be willing to comply with this. Mr. Peters advised that normally a cul-de-sac required a 50-foot radius, but that the right-of-way had a total of 50 feet, which was why staff suggested a T-turnaround. Councilmember Crowley suggested that the applicant could cut into a portion of his existing property to accommodate the cul-de-sac.

Mayor Truex was not in favor until he visited the area again and talked to the neighboring residents in the area.

Councilmember Crowley made a motion, seconded by Vice-Mayor Paul, to table to April 20, 2005. In a voice vote, all voted in favor. (Motion carried 5-0)

- 6.2. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 8 OF THE TOWN CODE TO COMPLY WITH THE NATIONAL FLOOD INSURANCE PROGRAM FLOODPLAIN MANAGEMENT CRITERIA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Muniz read the ordinance by title. Mayor Truex announced that there would be a public hearing on the ordinance at the March 2, 2005 meeting.

Vice-Mayor Paul made a motion, seconded by Councilmember Starkey, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Resolutions

- 6.3. **NON-AD VALOREM SPECIAL ASSESSMENTS - A RESOLUTION OF THE**
R-2005-55 **TOWN OF DAVIE, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Solid Waste Management)**

Town Clerk Muniz read the resolution by title.

Mayor Truex opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Mr. Underwood explained that this resolution allowed for a uniform method of collection. He explained that this resolution would need to be passed first, before contemplating this measure. Councilmember Crowley requested discussing this at the upcoming budget workshop.

Vice-Mayor Paul made a motion, seconded by Councilmember Hubert, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - yes; Councilmember Starkey - yes. (Motion carried 5-0)

- 6.4. **NON-AD VALOREM SPECIAL ASSESSMENTS - A RESOLUTION OF THE**
R-2005-56 **TOWN OF DAVIE, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE. (Storm Water Management)**

Town Clerk Muniz read the resolution by title.

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Mayor Truex opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmember Hubert asked whether this was supposed to be the \$1 increase for the water, and whether this would be added to the tax bill. Assistant Town Administrator Ken Cohen explained that it “may be” but that the resolution did not address this at the current time. He advised that the resolution merely allowed Council to discuss this item.

Mayor Truex was against this as he felt the Town needed to live within its means and not overspend. Mr. Cohen explained that staff initially wanted to set up a fund strictly for stormwater, but this was not done and the expenses ended up back in the general fund. He advised that in order to get stormwater projects done, staff had increased the general fund fee, which was the franchise fee for waste management. Mr. Cohen indicated that staff now wanted to roll this back to what it originally was and go back to a separate fund that would strictly be utilized for stormwater. Mayor Truex asked why money collected from items 6.3 and 6.4 were not collected together. Mr. Cohen explained that these were two different line items. He advised that neither of these measures increased the charge.

Councilmember Starkey explained that this resolution allowed Council to consider the option of putting this on the TRIM.

Councilmember Crowley stated that the resolution language referred to the Town as a “city” and requested correction.

Councilmember Crowley made a motion, seconded by Vice-Mayor Paul, to approve, subject to changing “city” to “town”. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Ordinance - First Reading/Quasi Judicial Item (Second and Final Reading to be held March 2, 2005)

- 6.5. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 8-1-04 REGENCY SQUARE, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: PUD (BROWARD COUNTY); TO: B-3, PLANNED BUSINESS CENTER DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 8-1-04 Regency Square, Regency Square at Broward Joint Venture/C. William Laystrom Jr., 4900 SW 148 Avenue) *Planning and Zoning Board recommended approval subject to the condition of an eight-foot wall as requested by the residents and that the developer look at some kind of added landscaping*

This item was tabled earlier in the meeting.

Site Plan/Quasi Judicial Item

- 6.6. SP 8-4-03, DiBenedetto Multi-Tenant Building, 5490 Griffin Road (Griffin Corridor District, East Gateway Use Zone 3) *Site Plan Committee recommended approval based on the planning report and 1) that the engineering and landscape plans be brought back before this Committee corrected and matching the site plan with consistent landscaping throughout the property; 2) that the drainage issues be addressed; 3) to reduce the number of steps coming from the parking area to one, five-foot wide; 4) that the applicant apply for a parking variance; and 5) that the tabulations for parking reflect the daytime use and nighttime use*

This item was tabled earlier in the meeting.

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Item to be withdrawn

6.7. WITHDRAWN BY STAFF

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, REZONING CERTAIN REAL PROPERTY IN THE TOWN OF DAVIE AS SHOWN IN THE ATTACHED MAP FROM THE FOLLOWING ZONING DISTRICTS: HACIENDA VILLAGE (M-1, M-2, M-3, M-4, C-1, B-3, RM-5), BROWARD COUNTY (M-1, M-3, M-4, A-1, A-5, B-3), AND TOWN OF DAVIE (OLD CODE - RC-3, RC-8) TO VALID TOWN OF DAVIE ZONING DISTRICTS (B-3, M-1, M-2, M-3, RM-5, RM-8, RS, T) IN ACCORDANCE WITH TOWN OF DAVIE ORDINANCE NO. 2003-21; ADOPTING THE OFFICIAL ZONING MAP FOR ZONING CONFORMANCE AREA 1 MORE SPECIFICALLY DEFINED AS EAST OF FLORIDA'S TURNPIKE, NORTH OF ORANGE DRIVE TO THE NORTHERN AND EASTERN LIMITS OF THE TOWN AND ZONING CONFORMANCE AREA 2 MORE SPECIFICALLY DEFINED AS EAST OF UNIVERSITY DRIVE, SOUTH OF GRIFFIN ROAD, WEST OF 76 AVENUE AND NORTH OF STIRLING ROAD; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from December 1, 2004)

This item was withdrawn.

Item to be added

Quasi-Judicial Item

6.8. SE 1-1-05, Schmidt/Nob Hill Partners LLC, 6200 Griffin Road (RAC) (placement and operation of a temporary sales trailer) *Planning and Zoning Board recommended approval*

Earlier in the meeting, Mr. Kiar asked the applicants if they were willing to forego the quasi-judicial proceeding. An unidentified man responded in the affirmative.

Councilmember Hubert made a motion, seconded by Councilmember Crowley, to approve. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Paul - yes; Councilmember Crowley - yes; Councilmember Hubert - yes; Councilmember Starkey - yes. (Motion carried 5-0)

7. APPOINTMENTS

7.1. Agricultural Advisory Board (one exclusive appointment - Councilmember Starkey; term expires April 2006) (insofar as possible, members shall have experience in agricultural matters, related occupations or other similar skills)

No appointment was made.

7.2. Airport Advisory Board (one exclusive appointment - Councilmember Starkey; terms expire December 2006)

Councilmember Starkey appointed Duncan Bossle.

7.3. Child Safety Board (one exclusive appointment - Councilmember Crowley and Mayor Truex; terms expire April 2006) (whenever possible, members shall have interest and expertise in law enforcement, elementary school instruction, child psychology, pediatric medicine, parenthood and grandparenthood)

No appointments were made.

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7.4. Open Space Advisory Committee Agency (one exclusive appointment - Mayor Truex; term expires April 2006)

No appointment was made.

7.5. Parks and Recreation Advisory Board (one exclusive appointment - Councilmember Hubert; term expires April 2006)

No appointment was made.

7.6. Senior Citizen Advisory Committee (two exclusive appointments - Councilmember Hubert; terms expire April 2006) (members shall be a minimum 60 years of age)

No appointments were made.

7.7. School Advisory Board (one exclusive appointment - Vice-Mayor Paul; terms expire April 2006) (insofar as possible, members are to have experience in educational matters)

No appointment was made.

7.8. Water and Environmental Advisory Board (one exclusive appointment - Mayor Truex; terms expire April 2006) (insofar as possible, one member shall be a licensed engineer)

No appointment was made.

8. OLD BUSINESS

8.1. Bob's Towing

Mayor Truex indicated that Mr. Mucha of Bob's Towing was not interested in seeking reinstatement.

Mr. Hyman spoke of the Town's cancelled contract with Bob's Towing Services and of the interim contract with A&B Towing, which would end in May. He requested Council's direction on whether he should re-bid this contract after May. Mr. Hyman advised that A&B Towing wished to complete the five-year towing contract initially held by Bob's Towing.

Councilmember Crowley indicated his support in having A&B Towing finish out the contract until 2007. Councilmember Starkey wanted the documentation to be submitted in proper form for Council to review as there was an attorney involved. Mr. Hyman agreed. Councilmember Crowley pointed out there were no complaints about A&B Towing. Mr. Hyman agreed.

Councilmember Starkey made a motion, seconded by Mayor Truex, to table to March 16, 2005. In a voice vote, all voted in favor. (Motion carried 5-0)

9. NEW BUSINESS

9.1. Rescheduling of April 6, 2005 Council Meeting to April 7, 2005

Councilmember Crowley made a motion, seconded by Mayor Truex, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

9.2. Rescheduling of June 15, 2005 Council Meeting

No action was taken.

9.3. Occupational License/Local Control Bill - Mayor Truex

Mayor Truex requested that this item be placed on the next Council agenda.

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9.4. Procedure for Naming Streets/Bridges

Mayor Truex suggested that staff check with the Historical Society and the Old Davie School for suggestions. He was in favor of copying the County's procedures.

Vice-Mayor Paul asked if the street signs with pioneer names had been reinstalled. Councilmember Crowley advised that Mr. Bernard had taken care of this.

9.5. Viele House Restoration Funding - Councilmember Crowley

Earlier in the meeting, Councilmember Crowley spoke of the Viele House restoration for the Old Davie School Foundation. He explained that the house was in desperate need of repairs and needed to have funding allocated. Councilmember Crowley advised that the executive director of the Old Davie School and staff had been considering a project for this year.

Mayor Truex asked what could be done with the capital budget this year to accommodate this. Mr. Kovanes advised there were several projects whose schedule could be changed. He stated that all the capital projects would be brought forward in a packet the following month. Mr. Kovanes indicated that funding was adequate and that staff needed Council's direction to change the project schedules.

Councilmember Starkey was in support of making some repairs but was concerned about not having enough documentation to consider. Mr. Kovanes stated that projects were put on a calendar year which had some flexibility built in. Mayor Truex suggested phasing in stages of repairs. Mr. Kovanes advised that staff could stipulate such terms.

Councilmember Hubert asked why the Old Davie School did not repair the roof from funds it received in November. Councilmember Crowley advised that the repair was not a priority at that time, but needed to be addressed now before the rainy season.

Councilmember Starkey asked how much money was needed to phase in repairs. Constance Young, Executive Director of the Old Davie School, indicated that \$18,000 was estimated for architectural plans to begin restoration and explained that the roof repair could not be addressed without these plans. Mayor Truex asked how much money was needed to keep the structure watertight. Ms. Young referred Council to documentation indicating the museum's grant budget. Councilmember Crowley referred to a \$28,500 figure for the roof.

Ron Weitz, president of the Executive Board, spoke of the structural repairs and architectural plans needed. He felt that \$50,000 would give the Society a good jump start. Councilmember Starkey wanted Council to bear these figures in mind if other projects that had already been prioritized were to be rescheduled. Mr. Weitz advised of other sources of grant funding and donations being sought, but advised that funding from the Town would be helpful in making the first step.

Vice-Mayor Paul spoke of discussions held with Mr. Kovanes and indicated she felt comfortable with re-prioritizing certain capital projects.

Council gave direction for Councilmember Crowley to work with Mr. Kovanes on a resolution for a future meeting.

10. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER HUBERT

AGENDA ITEMS. Councilmember Hubert questioned Mayor Truex's response to her requests to move items around on the agenda. Mayor Truex apologized.

COUNCILMEMBER CROWLEY

LUNCHEON. Councilmember Crowley spoke of the Volunteer Appreciation Luncheon and asked if recreation volunteers could be accommodated. Mr. Andresky advised that space was limited to 80 to 85 people at the Pine Island Multipurpose Center and added that the event would have to be held off site for a

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larger group. He stated that an off-site restaurant would cost \$20-25 per person. Councilmember Crowley wanted to ensure that this was revisited the following year.

COMPLAINT. Councilmember Crowley spoke of a letter he had received from Fraternal Order of Police complaining about the Human Resources Department and the contract. Mark Alan, Human Resources Director, indicated that staff had scheduled and posted a negotiation session for February 17th where this would be addressed.

DAVIE UPDATE. Councilmember Crowley mentioned that many of the residents in United Ranches were no longer receiving the Davie Update. Mr. Kovanes advised that this had been addressed.

COUNCILMEMBER STARKEY.

MEETING. Councilmember Starkey spoke of the Broward League of Cities meeting being held on February 17th at the Carolina Club.

GOLF TOURNAMENT. Councilmember Starkey spoke of the Guns & Hoses Golf Tournament and advised that early sponsors included the Miami Dolphins, Nova Southeastern University, and FP&L. She announced that the tournament would be held on May 31st at Grand Oaks County Club and benefit the police/fire memorial statue to be built at the Pine Island Bamford Park to recognize the Town's police and fire personnel.

VICE-MAYOR PAUL.

BOB AMCHIR. Vice-Mayor Paul spoke of the honor received by Bob Armchir by the Kiwanis Club.

BLACK HISTORY MONTH. Vice-Mayor Paul advised of events she attended at Nova Southeastern University in celebration of Black History Month.

RESOLUTION. Vice-Mayor Paul spoke of a July 2004 resolution passed regarding the Greenways Loop at the I-75 interchange area. She advised that the Metropolitan Planning Organization had voted to support the Greenways Loop at Stirling Road rather than at Griffin Road partially as a safety issue. Vice-Mayor Paul indicated that this approval allowed Southwest Ranches to move forward in seeking alternate sources of funding for their project.

LUNCHEON. Vice-Mayor Paul indicated she had attended the Young at Art Museum Women of Vision Luncheon and reported on the progress of the museum's funding efforts.

WORKSHOP. Vice-Mayor Paul announced that she would be attending a financial workshop at NSU regarding the Broward East-West Transit Analysis. She requested that staff's TCC representative attend the meeting.

VAN KIRK MEETING. Vice-Mayor Paul announced that a Public Meeting on the Van Kirk site grant would be held on February 24th at Western High School.

Mr. Andresky advised that the Town was seeking a land water conservation program grant for development of the Van Kirk site. He advised that the sole purpose of the meeting was to publicly announce the intent to apply for the grant. Mr. Kovanes indicated that due to time constraints, the Town needed to act quickly.

CERTIFICATES OF RECOGNITION. Vice-Mayor Paul asked for Certificates of Recognition to be given to students of Western High School who donated relief funds to the Red Cross for victims of the 2004 Asian Tsunami.

ORANGE BLOSSOM FESTIVAL. Vice-Mayor Paul invited the public to the Orange Blossom Festival.

RABIES VACCINE. Vice-Mayor Paul requested that information be posted on the Town's website about oral vaccines for rabid raccoons. Mr. Kovanes advised that this had been addressed.

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MAYOR TRUEX

BROADVIEW PARK. Mayor Truex spoke highly of the residents of Broadview Park who met with Council and officials the previous night to discuss annexation. He felt the City of Plantation had “sandbagged Davie” and purposely put its worst foot forward in order to steer Broadview Park residents toward Davie. Mayor Truex stated that in reality, Broadview Park would square off better with the City of Plantation. He pointed out that Broadview Park would be a net drain on the Town’s finances and felt the only way this would change was if the Town made drastic changes in the surrounding zoning.

Vice-Mayor Paul disagreed with Mayor Truex and agreed with Councilmember Starkey’s view that Broadview Park was “a diamond in the rough” with a lot of amenities that were attractive to the Town. Vice-Mayor Paul felt the area could be developed in the future if the Town had the right vision.

Councilmember Starkey agreed with Mayor Truex that the City of Plantation might have “sandbagged Davie” in order to extend the timeframe to consider annexation, which would prove to be a definite drain. She also agreed with Mayor Truex that the residents of Broadview Park were wonderful people who the Town would welcome.

SUPERMAJORITY VOTE. Mayor Truex asked Mr. Kiar if a Council member were to be excluded from voting on a super majority issue, what would happen to the super majority requirement. Mr. Kiar advised that he would research this.

TOWN ADMINISTRATOR SEARCH. Councilmember Hubert asked about the upcoming workshop to be held regarding the Town Administrator’s position. Councilmember Starkey advised that the meeting was scheduled for February 22nd. Councilmember Hubert asked if staff would be involved, or if Council would “sit and hash it out”. Councilmember Starkey stated that staff would want to know what Council wished to hear regarding options to be considered. She had given information to Mr. Alan and Mr. Kovanes concerning options for process, criteria and qualifications that she wanted presented to Council.

11. TOWN ADMINISTRATOR’S COMMENTS

FAA FOCUS GROUP. Mr. Kovanes spoke of an FAA focus group meeting to be held the following evening at the Stirling Road Library pertaining to the south runway.

FEMA FUNDS. Mr. Kovanes advised that FEMA had awarded the Town its federal share of \$125,000 for a grant the Town had been approved.

12. TOWN ATTORNEY’S COMMENTS

No comments were made.

13. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 11:13 p.m.

Approved_____

Mayor/Councilmember

Town Clerk